

UNITED STATES DISTRICT COURT

for the
Western District of Washington

FILED	LODGED
RECEIVED	
May 30, 2023	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*
Information Associated with 253-290-4933,
in the Custody of T-Mobile, for
Investigation of 18 U.S.C. § 1113

Case No. 3:23-mj-05214

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

253-290-4933, See Attachments A, attached hereto and incorporated herein by reference.

located in the Western District of Washington, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1113	Attempted Murder

The application is based on these facts:

- ☒ See Affidavit of Special Agent Isabelle J. Ghini, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

Isabelle J. Ghini
Applicant's signature

ISABELLE J. GHINI, Special Agent
Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 05/30/2023

DW Christel
Judge's signature

City and state: Tacoma, Washington

DAVID W. CHRISTEL, United States Chief Magistrate Judge
Printed name and title

AFFIDAVIT

STATE OF WASHINGTON)
) ss
 COUNTY OF PIERCE)

I, Isabelle J. Ghini, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a certain cellular telephone assigned call number: **(253) 290-4933** (hereinafter, “**Target Phone 2**”), belonging to **Tia Marie Tonu’u**, that is stored at premises controlled by **T-MOBILE**, a wireless telephone service provider headquartered at 4 Sylvan, Parsippany, NJ. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. § 2703(c)(1)(A) to require **T-MOBILE** to disclose to the government copies of the information further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review the information to locate items described in Section II of Attachment B.

ECPA

2. The Court has jurisdiction to issue the proposed warrant under the Electronic Communications Privacy Act (ECPA), 18 U.S.C. §§ 2701-2713, because it is a “court of competent jurisdiction” as defined in 18 U.S.C. § 2711. Specifically, the Court is a district court of the United States that has jurisdiction over the offense being investigated, *see* 18 U.S.C. § 2711(3)(A)(i) or is in a district in which T-Mobile is located or in which the items described in Attachment A are stored, *see* 18 U.S.C. § 2711(3)(A)(ii).

1
2 3. **Through this application, the United States does not request and does**
3 **not seek to obtain the contents of any communications, as defined in 18 U.S.C. §**
4 **2510(8).**

5 **AGENT BACKGROUND**

6 4. I am a Special Agent with the FBI and have been employed as such since
7 June 2021. I am currently assigned to the Seattle Division of the FBI, Tacoma Resident
8 Agency. I completed approximately twenty weeks of training at the FBI academy in
9 Quantico, Virginia, including legal classes, investigative techniques, interview and
10 interrogation, evidence preservation and collection, and classes on criminal and national
11 security threats. I am currently authorized to investigate and enforce violations of federal
12 criminal statutes, including those found in Titles 18 and 21 of the United States Code. As
13 a Special Agent in the Seattle Division, I have assisted in numerous investigations
14 including but not limited to violent crime, narcotics trafficking, human trafficking,
15 financial crimes, cases of child exploitation, and violent incident crimes committed on
16 government reservations, such as Indian Country crimes and crimes committed on
17 military installations. I have participated in numerous investigations targeting child
18 exploitation, gang activity, narcotics trafficking, and violent incident crimes such as
19 homicides, shootings, drive-by shootings, and assaults. I have also received formal
20 training as well as extensive on the job training related to investigating child exploitation,
21 violent gangs, and drug trafficking organizations, including, but not limited to, human
22 trafficking, weapons trafficking, and narcotics trafficking. This training and experience
23 forms the basis for my opinions expressed below. The facts in this affidavit come from
24 my personal observations, my training and experience, and information obtained from
25 other agents and witnesses. This affidavit is intended to show merely that there is
26
27

1 sufficient probable cause for the requested warrant, and therefore does not set forth all
2 my knowledge about this matter.

3 5. The facts in this affidavit come from my personal observations, my training
4 and experience, and information obtained from other agents and witnesses. This affidavit
5 is intended to show merely that there is sufficient probable cause for the requested
6 warrant and does not set forth all of my knowledge about this matter.

7 6. Based on the facts set forth in this affidavit, there is probable cause to
8 believe that violations of 18 U.S.C. § 1113 (Attempted Murder) and 18 U.S.C.
9 §§ 113(a)(6) (Assault Resulting in Serious Bodily Injury) have been committed, are being
10 committed, and will be committed by **SHAUN LEE BLUE** (hereinafter “Target
11 Individual”). There is also probable cause to search the information described in
12 Attachment A for evidence or instrumentalities of these crimes as further described in
13 Attachment B, and will lead to the identification of individuals who are engaged in the
14 commission of these offenses.

15 **PROBABLE CAUSE**

16 7. On March 19, 2023, at approximately 7:45 PM, Darren Culbertson
17 (hereinafter, “Victim”) a 54-year-old male called 911 and reported that he had been
18 stabbed. The Victim stated he was located at the Roy Park and Ride. He said, “I’m
19 dying,” and told the 911 operator that he was stabbed “two minutes ago” by “Shaun.”
20 When asked who Shaun was, the Victim said, “a guy who works with me. . . I don’t
21 know his last name.” The Victim said Shaun drove off in a Gray Challenger.

22 8. When Pierce County Sheriff’s deputies responded they found the Victim
23 severely injured in the driver’s seat of his truck. Officers observed multiple penetrating
24 stab wounds, one of which had intestines protruding and multiple to the pectoral muscle
25 area of the chest. The Victim also had serious cuts on his arms and throughout his chest.
26 The Victim told the Officers that his temporary employee “Shaun” stabbed him. Officers
27

1 attempted to provide first aid; paramedics arrived shortly after and transported the Victim
2 to the hospital.

3 9. After Emergency Room physicians stabilized the Victim, he was sent to the
4 operating room. While waiting for an operating room, Officers spoke with the Victim.
5 The Victim said that “Shaun” worked for the Laborer’s Union 252 in Lakewood,
6 Washington and worked with the Victim. The Victim said he met Shaun that night at the
7 Roy Y Park and Ride lot to pay him for the work he did earlier in the day. Shaun was
8 upset with the Victim due to an incident that Shaun perceived as disrespectful. Shaun
9 “pulled out a big knife” which the Victim described as a serrated bayonet and began
10 stabbing the Victim. At this time, the Victim told the Officer that Shaun’s phone number
11 was in his phone under “Shaun TCS” and voluntarily provided his passcode to his phone.
12 He verbally consented to officers searching his phone for that information.

13 10. After the interview, physicians sedated and inducted the Victim into a coma
14 for sixteen stab wounds that caused damage to major organs in his abdomen. The Victim
15 underwent multiple surgeries and remained in a coma for several weeks.

16 11. On March 22, 2023, Law Enforcement Officers interviewed a family
17 member of the Victim (hereinafter, “F-1”), who stated that the Victim called them the
18 night of the incident and indicated he was on his way home from work. F-1 said that the
19 Victim was in Eatonville that day for a junk removal job. The Victim further told F-1 that
20 he had been having issues with someone he hired to work for him that day, and that this
21 individual believed they were due \$150 instead of \$100 for the day’s work.

22 12. On March 24, 2023, U.S. Magistrate Judge David Christel signed a warrant
23 authorizing law enforcement to search the victim’s cell phone.

24 13. Upon searching the victim’s phone, law enforcement discovered a contact
25 named “Sean Tcs” with a phone number of the (253) 290-4883 (hereinafter, “Target Cell
26 Phone”). On March 19, 2023, at approximately 9:10 AM, the Victim sent a message to
27

1 the Target Cell Phone that provided an address in Eatonville, WA. Law Enforcement
2 Officers interviewed the resident of this address (hereinafter “W-1”) who told them the
3 Victim and another individual (hereinafter, “UM-1) performed a junk removal job at their
4 residence on the day of the incident. W-1 stated that the job took longer than originally
5 anticipated. UM-1 left the residence in Eatonville sometime around 04:00 PM driving a
6 “white or silver Dodge Charger.” W-1 recalled that sometime after UM-1 left, they
7 observed the Victim having a verbal argument with someone over the phone about
8 payment. Law enforcement also spoke with a neighbor of W-1 (hereinafter, “W-2”) who
9 also observed the Victim with UM-1 at the residence in Eatonville. Both W-1 and W-2
10 described UM-1 similarly as a large black male. Between 4:40 PM and 6:51 PM on
11 March 19, 2023, the Victim phone received three incoming calls from the Target Cell
12 Phone. The calls lasted 1 minute 20 seconds, 12 seconds and 4 seconds, respectively. At
13 approximately 07:15 PM that same day, the Victim phone made one outgoing call to the
14 Target Cell Phone, lasting 15 seconds.

15 14. Law Enforcement Officers next analyzed the Target Cell Phone number
16 through a law enforcement database. This inquiry returned information that the residence
17 located at 503 104th St Ct South, Tacoma, WA (Target Residence) was associated with
18 the Target Cell Phone. Law Enforcement Officers conducted a surveillance at the Target
19 Residence and observed a silver-colored 2020 Dodge Charger (Target Vehicle) parked
20 there. The license plate on the Charger returned as registered to the Target Individual and
21 the Target Residence. Further, analysis of messages on the Victim’s cell phone revealed
22 that the Target Cell Phone sent messages to the Victim in early 2023 about a new car. On
23 January 1, 2023, between 08:56 PM and 08:57 PM, the Target Cell Phone sent three
24 consecutive messages to the Victim that read, “My New Joint,” followed by a photograph
25 of a silver-colored Dodge Charger, then a message that read, “R/T Charger 2020.”
26
27

1 15. On March 28, 2023, at approximately 07:00 AM, Law Enforcement
2 Officers observed an individual matching physical descriptions of the Target Individual
3 exit the Target Residence wearing a high visibility flagger vest and then enter the Target
4 Vehicle. Based on information from Washington Department of Corrections, in mid-
5 2021, the Target Individual told his assigned Community Corrections Officer that he got
6 his job back as a flagger.

7 ***Shaun Blue's Cell Phone (Target Cell Phone)***

8 16. On March 28, 2023, U.S. Magistrate Judge David Christel signed a warrant
9 authorizing law enforcement to install a pen trap & trace device on the Target Cell Phone,
10 as well as request live and historical cell site information on its location. Later that day,
11 the Target Cell Phone carrier returned historical records for the Target Cell Phone,
12 registered to TiaMarie Tonu'u. Since March 24, 2023, Law Enforcement Officers
13 observed TiaMarie Tonu'u regularly enter the Target Residence, as well as drive another
14 vehicle parked there, which is registered to TiaMarie Tonu'u.

15 17. On March 28, 2023, the FBI Cellular Analysis Survey Team (CAST)
16 analyzed historical timing advance data from the Target Telephone 1. On March 19, 2023
17 (the day of the incident), between approximately 10:00 AM and 3:00 PM, TT1 was in the
18 vicinity of the Eatonville address where the Victim and the Target Individual performed a
19 junk removal job. At approximately 07:15 PM that same day, the Victim phone made one
20 outgoing call to the TT1, lasting 15 seconds. During this phone call, TT1 was in the
21 vicinity of the Target Residence. Shortly after this phone call, TT1 traveled in a southerly
22 direction down Pacific Avenue, arriving at the Roy Y Park and Ride (location of the
23 attempted murder) at approximately 07:35 PM. Between 07:35 PM and 07:41 PM, TT1
24 was in the vicinity of the location of the incident. Shortly thereafter, TT1 traveled in a
25 northerly direction up Pacific Ave. TT1 was back in the vicinity of the Target Residence
26
27

1 at approximately 08:55 PM. This indicates the Target was with the Victim at the Roy Y
2 Park and Ride during the period of the attempted murder.

3 ***Subject Arrest and Interview***

4 18. On March 30, 2023, U.S. Magistrate Judge David Christel signed a
5 Complaint authorizing law enforcement to arrest Shaun Blue for violations of 18 U.S.C.
6 §§ 1113 (Attempted Murder), and warrants authorizing the search of his residence,
7 vehicle, and person for evidence of the crime.

8 19. On March 31, 2023, Law Enforcement Officers arrested Blue at the Target
9 Residence. During the operation, Blue refused to exit his residence for approximately 40
10 minutes. Crisis negotiators called Blue, dialing the TT1, who answered and spoke with
11 negotiators during the standoff. Eventually, Blue exited the Target Residence and
12 surrendered to Law Enforcement. As he was taken into custody, Law Enforcement
13 Officers recovered the Subject Device from Blue's person.

14 20. Upon arresting Shaun Blue, Law Enforcement Officers interviewed him
15 regarding the incident on March 19, 2023. Blue told Officers that he had worked with the
16 Victim earlier that day in Eatonville, and then called the victim multiple times later that
17 day to arrange a meeting for payment. Blue told Officers that he met the Victim at the
18 Roy Y and then indicated that he stabbed the Victim because he felt disrespected by the
19 Victim. Blue also stated that his wife, TiaMarie Tonu'u, was present during the incident
20 but remained in their vehicle for the duration of the altercation.

21 ***TiaMarie Tonu'u Interview and Target Phone 2***

22 21. On March 31, 2023, Law Enforcement Officers interviewed TiaMarie
23 Tonu'u regarding the incident on March 19, 2023. Tonu'u stated that she was present
24 with her husband, Blue, during the incident. She said she witnessed the altercation
25 between Blue and the Victim from the backseat of Blue's vehicle. Tonu'u provided her
26 cellular phone number as (253)290-4933 (**"Target Phone 2"**).

22. On April 12, 2023, the Grand Jury for the Western District of Washington returned an indictment charging Shaun Blue with violations of 18 U.S.C. §§ 1113 (Attempted Murder) and 18 U.S.C. §§ 113(a)(6) (Assault Resulting in Serious Bodily Injury).

Victim Interview

23. On April 17, 2023, the Victim was interviewed at the hospital where he was still receiving treatment for his injuries sustained on March 19, 2023. The Victim recounted that he was stabbed multiple times by Blue because Blue believed the Victim had disrespected him. The Victim did not believe anyone else was present with Blue during the encounter. He stated he did not notice anyone in Blue's vehicle, though added that the vehicle's windows are tinted and difficult to see through. This warrant seeks to find historic cell site records to determine if TiaMarie Tonu'u was present at the time of the incident, and to confirm Shaun Blue's movements before and after the assault.

24. In my training and experience, I have learned that **T-MOBILE** is a company that provides cellular telephone access to the general public. I also know that providers of cellular telephone service have technical capabilities that allow them to collect and generate information about the locations of the cellular telephones to which they provide service, including cell-site data, also known as "tower/face information" or "cell tower/sector records." Cell-site data identifies the "cell towers" (i.e., antenna towers covering specific geographic areas) that received a radio signal from the cellular telephone and, in some cases, the "sector" (i.e., faces of the towers) to which the telephone connected. These towers are often a half-mile or more apart, even in urban areas, and can be 10 or more miles apart in rural areas. Furthermore, the tower closest to a wireless device does not necessarily serve every call made to or from that device. Accordingly, cell-site data provides an approximate location of the cellular telephone but

1 is typically less precise than other types of location information, such as E-911 Phase II
2 data or Global Positioning Device (“GPS”) data.

3 25. Based on my training and experience, I know that **T-MOBILE** can collect
4 cell-site data about TARGET PHONE 2. I also know that wireless providers such as **T-**
5 **MOBILE** typically collect and retain cell-site data pertaining to cellular phones to which
6 they provide service in their normal course of business in order to use this information for
7 various business-related purposes. Based on my training and experience, I know that for
8 each communication (including data connections) a cellular device makes, its wireless
9 service provider can typically determine: (1) the date and time of the communication; (2)
10 the telephone numbers involved, if any; (3) the cell tower to which the customer
11 connected at the beginning of the communication; (4) the cell tower to which the
12 customer connected at the end of the communication; and (5) the duration of the
13 communication. I also know that wireless providers such as **T-Mobile** typically collect
14 and retain cell-site data pertaining to cellular devices to which they provide service in
15 their normal course of business in order to use this information for various business-
16 related purposes.

17 26. Based on my training and experience, I know that wireless providers such
18 as **T-MOBILE** typically collect and retain information about their subscribers in their
19 normal course of business. This information can include basic personal information about
20 the subscriber, such as name and address, and the method(s) of payment (such as credit
21 card account number) provided by the subscriber to pay for wireless telephone service. I
22 also know that wireless providers such as **T-MOBILE** typically collect and retain
23 information about their subscribers’ use of the wireless service, such as records about
24 calls or other communications sent or received by a particular phone and other
25 transactional records, in their normal course of business. In my training and experience,
26 this information may constitute evidence of the crimes under investigation because the
27

1 information can be used to identify the TARGET PHONE 2's user or users and may
2 assist in the identification of co-conspirators and/or victims.

3 27. Different service providers use different systems, applications, and reports
4 to collect or analyze cell site data. These systems, applications, and reports are referred
5 to by a variety of names including, but not limited to real-time tool or "RTT" (Verizon),
6 Periodic Location Updates or "PLU" (Verizon), per call measurement data or "PCMD"
7 (Sprint), Location Database of Record or "LOCDBOR" (AT&T), EVDO, ALULTE,
8 Timing Advance and True Call (T-Mobile/Sprint/U.S. Cellular/GCI). RTT data, for
9 example, estimates the approximate distance of the cellular device from a cellular tower
10 based upon the speed with which signals travel between the device and the tower. This
11 information can be used to estimate an approximate location range that is more precise
12 than typical cell-site data.

13 AUTHORIZATION REQUEST

14 28. Based on the foregoing, I request that the Court issue the proposed search
15 warrant, pursuant to 18 U.S.C. § 2703(c) and Federal Rule of Criminal Procedure 41.


16 29. I further request that the Court direct **T-MOBILE** to disclose to the
17 government any information described in Attachment B that is within the possession,
18 custody, or control of **T-MOBILE**. I also request that the Court direct **T-MOBILE** to
19 furnish the government all information, facilities, and technical assistance necessary to
20 accomplish the collection of the information described in Attachment B unobtrusively
21 and with a minimum of interference with **T-MOBILE**'s services. The agency shall
22 reasonably compensate **T-MOBILE** for reasonable expenses incurred in furnishing such
23 facilities or assistance.

24 //

25 //

26 //

1 30. Because the warrant will be served on **T-MOBILE**, who will then compile
2 the requested records at a time convenient to it, reasonable cause exists to permit the
3 execution of the requested warrant at any time in the day or night.
4

5 
6 Isabelle J. Ghini, Affiant
7 Special Agent
8 Federal Bureau of Investigation

9 The above-named agent provided a sworn statement attesting to the truth of the
10 contents of the foregoing affidavit on this 30th day of May, 2023.
11

12 
13
14 The Honorable David W. Christel
15 United States Chief Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26
27

ATTACHMENT A

Property to Be Searched

This warrant applies to records and information associated with the cellular telephone assigned call number **(253) 290-4933**, that are stored at premises controlled by **T-MOBILE** (“the Provider”), headquartered at 4 Sylvan, Parsippany, New Jersey.

ATTACHMENT B

Particular Things to be Seized

I. Information to be Disclosed by the Provider

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any information that has been deleted but is still available to the Provider or that has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose to the government the following information pertaining to the Account listed in Attachment A for the time period **March 17, 2023 through April 1, 2023**.

a. **Subscriber/Account Information.** The following information about the customers or subscribers of the Account:

- i. Names (including subscriber names, user names, and screen names);
- ii. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- iii. Local and long distance telephone connection records;
- iv. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (“IP”) addresses) associated with those sessions;
- v. Length of service (including start date) and types of service utilized;
- vi. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Equipment Identifier (“MEID”); Mobile Identification Number (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Number (“MSISDN”); International Mobile Subscriber Identity Identifiers (“IMSI”), or International Mobile Equipment Identities (“IMEI”);

vii. Other subscriber numbers or identities (including the registration Internet Protocol (“IP”) address); and

viii. Means and source of payment for such service (including any credit card or bank account number) and billing records.

b. **Historical Cell Site Location Information** All records and other information (not including the contents of communications) relating to wire and electronic communications sent or received by the Account from **March 17, 2023 through April 1, 2023**, including:

i. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses); and

ii. historical cell site information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received. This information is to be provided irrespective of the application, name, or report utilized by **T-Mobile**. Accordingly, this information includes the following data sets to the extent that they are collected by **T-Mobile**: RTT, PLU, PCMD, LOCDBOR, EVDO, True Call, ALULTE, and Timing Advance.

iii. The physical address and coverage maps of cell towers used by the Target Cell Phone.

iv. information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received.

II. Information to be Seized by the Government

1. All information described above in Section I that constitutes evidence, fruits, contraband, and instrumentalities of violations of 18 USC §§ 1113 (Attempted Murder) and 18 U.S.C. §§ 113(a)(6) (Assault Resulting in Serious Bodily Injury)

1 involving TIAMARIE TONU’U during the period March 17, 2023 through April 1,
2 2023.

3
4 2. Historic Location Information regarding the Target Cell Phone.

5 Law enforcement personnel (who may include, in addition to law enforcement
6 officers and agents, attorneys for the government, attorney support staff, agency
7 personnel assisting the government in this investigation, and outside technical experts
8 under government control) are authorized to review the records produced by the Provider
9 in order to locate the things particularly described in this Warrant.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27